

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

MANUEL PADILLA,

Plaintiff,

v.

FIRE MOUNTAIN RESTAURANTS, INC.,  
d/b/a Ryan's Family Steakhouse,

Defendant.

No. 06-3103-CV-C-WAK

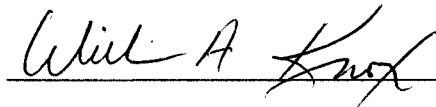
**ORDER**

A recorded telephone conference was held on June 5, 2006, to discuss plaintiff's request to deny defendant's motion to dismiss or to compel arbitration. Plaintiff requested ninety days to conduct discovery on the issues of whether he watched the videotape on arbitration and whether he actually signed the sheet of paper acknowledging his viewing of the videotape. Plaintiff does not recall doing so and does not believe a valid arbitration agreement exists. In light of the discussion and after consideration, it is

ORDERED that the parties are granted 90 days to conduct discovery on the two limited issues set forth above and to submit supplemental briefs within fourteen days after the discovery is completed. It is further

ORDERED that a ruling on defendant's motion of April 6, 2006, is stayed for ninety days or until supplemental briefs are filed, whichever first occurs.

Dated this 6TH day of June, 2006, at Jefferson City, Missouri.



WILLIAM A. KNOX  
United States Magistrate Judge